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**Remarks**

The above Amendments and these Remarks are in reply to an Office Action mailed April 1, 2008. This Reply is being timely filed. No fees are due for addition of new claims.

**Allowable Subject Matter**

In the Office Action dated April 1, 2008, the Examiner indicated that Claims 18 and 45 were objected to, but would be allowable if redrafted into independent form.

Applicants have canceled Claims 3-8, drawn to non-elected inventions. Claims 10, 15, 17, 19-22, 24-29 and 32-34 were previously canceled, being drawn to non-elected inventions. Please withdraw Claims 1, 2, 9-14, 16, 18, 23, 30-31 and 35-45. Applicants have added new Claims 46-63. Claims 46-63 are currently pending. Applicants reserve the right to prosecute canceled, withdrawn or new claims in continuing applications.

Applicants herein have redrafted Claim 18 into independent form and presented the subject matter in new Claim 46. New Claim 47 is presented to provide the systematic chemical name of the compound claimed in Claim 46.

New Claim 48 is to specifically claim a salt form of the compound claimed in Claim 47.

New Claim 49 is drawn to a stereoisomer of the compound of Claim 47. Support for this claim is found in original Claim 2. New Claim 50 is to specifically point out a salt form of the compound claimed in Claim 49.

New Claim 51 is a method of use claim based upon previously presented Claims 23 and 41 and is drawn to methods for treating disorders using a compound of Claim 47.

New Claims 52-57 are methods of use claims depending from Claim 51. These claims were provisionally withdrawn and relate to original Claims 31 and 36-40. Applicants respectfully request rejoining these claims into the application under the practice under MPEP 821.04.

Applicants have added new Claims 58-63, depending from Claim 51 and drawn to routes of administration and doses of compounds used. These claims are supported by the specification as published (US 2006/0217295) at least at page 7, paragraphs [0095] to [0098].

**Information Disclosure Statement**

On June 5, 2008, Applicants submitted by First Class Mail, an Information Disclosure Statement containing a Supplemental Search Report received from the European Patent Office in a related

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application, along with two references, *Harris et al.* and *Soave et al.* One cited reference, *Harris et al.* published April 30, 2003, is in most respects, identical to US Provisional Application No: 60/456,136, filed March 20, 2003, to which the instant application claims priority through PCT/US2004/008108. According to the Supplemental Search Report, this reference was considered relevant to Claim 3, which is canceled. The other reference, *Soave et al.*, was considered relevant to Claim 1, which has been withdrawn in favor of New Claim 46.

Applicants herewith provide the Examiner a courtesy copy of the IDS as filed (attached herewith as Appendix 1) and respectfully requests the Examiner to review the pending claims in light of the filed IDS and the references cited therein.

Applicants respectfully submit that all claims are fully supported by the application as filed and are believed to be allowable, and request the Examiner to issue a Notice of Allowance.

Applicants respectfully invite the Examiner to telephone the undersigned if he believes that a telephone conference would be valuable in moving this application forward to allowance.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 50-4089 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: June 6, 2008

By: 

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**Appendix 1**

**Courtesy Copy of Information Disclosure Statement filed June 5, 2008**

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D. Benjamin

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The US PATENT Office date stamp and Serial No. (if a new application) sets forth the date of receipt of:

Applicant: Paul Harris

Patent/Serial No.: 101549951

Issued/Filing Date: 3/16/04

Title: Neuroprotective Macrocyclic Compounds and Methods for Their Use

- ☐ Patent Application and \$ fee  
 Pages in Spec. : No of Claims  
☐ CPA ☐ CIP ☐ CON ☐ DIV ☐ Provisional ☐ Request for Continued Examination  
☐ No. of Sheets of Drawings : ☐ Formal or ☐ Informal  
☐ Non-Publication Request  
☐ Preliminary Amendment  
☐ Response to Notice for Missing Parts  
☐ Assignment and Cover Sheet  
☐ Declaration  
☐ Power of Attorney  
☐ Response  
☐ Petition for Extension of Time ( months)  
☒ Other: copies of two references
- ☐ Notice of Appeal  
☐ Appeal Brief  
☒ IDS & FORM SB108B  
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File No.: 17VNZ-01048US1

Date Mailed: 6/5/08

Attorney/Secy:

Date Due: